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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,415	02/28/2002	Atsushi Isozaki	111925	8710

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EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/084,415	<b>Applicant(s)</b> ISOZAKI ET AL.	
	<b>Examiner</b> Jerome Grant II	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-17 is/are allowed.
- 6) ☒ Claim(s) 1,5 and 6 is/are rejected.
- 7) ☒ Claim(s) 2-4 and 7-9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2-2002.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**JEROME GRANT  
PRIMARY EXAMINER**

### Detailed Action

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Funahashi.

With respect to claim 1, Funahashi teaches a gear changing device as shown by figure 1, comprising: a drive motor 102 according to col. 10, lines 58-60 for movement in a forward and reverse direction; sun gear 105 as claimed; a planetary gear 106 as claimed; a rotating member (107 or 109{1-3}) that is concentric with the sun gear and rotates in the manner claimed. Funahashi teaches the rotating member stops rotating when the sun gear rotates in the reverse direction according col. 2, lines 55-62 see also the locking mechanism. Col. 10, lines 50-66 and col. 7, lines 18-20 teach the lock mechanism for the rotating member when the sun gear is in a reverse direction. Note that gear 107 has recessed members with the limitations as claimed; a plurality of transmission gears 109(1-4) that are engaged with the planetary gear at the predetermined positions on the path of the planetary gear and the sensor switch 111(1-2) that detects the rotation of the sun gear with respect to a fixed position.

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With respect to claim 5, Funahashi teaches wherein the gear changing device is for use in a film camera apparatus, according to col. 5, lines 1-5, that requires switching from a plurality of modes (reverse and forward motion of the motors and gears).

2.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo in view of Funahashi.

With respect to claim 6, Kondo teaches a fax as a communication apparatus with operating modes of transmission and receiving with respect to the transmission gears.

Kondo fails to teach the specifics of the gears and its inter-workings as claimed. However, Funahashi teaches these limitations.

Funahashi teaches a gear changing device as shown by figure 1, comprising: a drive motor 102 according to col. 10, lines 58-60 for movement in a forward and reverse direction; sun gear 105 as claimed; a planetary gear 106 as claimed; a rotating member (107 or 109{1-3}) that is concentric with the sun gear and rotates in the manner

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(107 or 109{1-3}) that is concentric with the sun gear and rotates in the manner claimed. Funahashi teaches the rotating member stops rotating when the sun gear rotates in the reverse direction according col. 2, lines 55-62 see also the locking mechanism. Col. 10, lines 50-66 and col. 7, lines 18-20 teach the lock mechanism for the rotating member when the sun gear is in a reverse direction. Note that gear 107 has recessed members with the limitations as claimed; a plurality of transmission gears 109(1-4) that are engaged with the planetary gear at the predetermined positions on the path of the planetary gear and the sensor switch 111(1-2) that detects the rotation of the sun gear with respect to a fixed position.

Since both Kondo and Funahashi utilized gear assemblies for performing work, the purpose of the specific gear assembly as recited in the claim and taught by Funahashi would have been recognized by Kondo.

It would have been obvious to replace at least one set of sun and planetary gears and a rotating member of Kondo with a rotating member, sun and planetary gears, set forth by Funahashi for the purpose of allowing the gears to operate with different modes of operation of the communication apparatus, as taught by the communication apparatus of Kondo where a (fax transmission, reception, and copying operation are performed).

**3. Claims Objected to As Containing Allowable Matter**

Claims 2-4, 7-9 and 11-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**4. Allowed Claims**

**Claim 10 is allowed for the reason the prior art does not teach or suggest, "... wherein the communication apparatus selects a predetermined number of at least one position from the plurality of the positions on the path of the planetary gear with the regulating unit in association with each of the modes, and selectively rotates the driven gears by rotating the planetary gear on the axis thereof."**

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**Claim 17 is allowed for the reason the prior art does not teach or suggest, "... wherein the communication apparatus associates the driven gears with any of the executable operations, at least one of the driven gears to be used in each of the modes is predetermined, at least one position on the path of the planetary gear that is associated with the at least one of the driven gears, is selected with the regulating unit according to the modes to be executed as the sun gear is rotated in one direction, and the at least one of the driven gears associated with the at least one position that is selected, is driven by rotating the planetary gear on the axis thereof as the sun gear is rotated in an opposite direction, to selectively execute the modes. "**

**5.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.- Thurs. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore, can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JEROME GRANT  
PRIMARY EXAMINER

**J. Grant II**